



# House of Representatives

General Assembly

**File No. 330**

February Session, 2008

House Bill No. 5850

*House of Representatives, March 31, 2008*

The Committee on Environment reported through REP. ROY, R. of the 119th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## ***AN ACT CONCERNING THE HEALTH OF THE LOBSTER INDUSTRY.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 26-157f of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) There is established a Lobster Restoration Advisory Committee  
4 to advise the Commissioner of Environmental Protection on matters  
5 relating to the development of a lobster v-notch conservation program  
6 to enhance recovery and rebuilding of lobster stock in Long Island  
7 Sound.

8 (b) The committee shall be comprised of the following eleven  
9 members: (1) The Commissioner of Environmental Protection, or the  
10 commissioner's designee, (2) the Commissioner of Agriculture, or the  
11 commissioner's designee, (3) the state's administrative commissioner to  
12 the Atlantic States Marine Fisheries Commission, (4) the state's  
13 legislative commissioner to the Atlantic States Marine Fisheries  
14 Commission, (5) the state's commissioner who has been appointed by

15 the Governor to the Atlantic States Marine Fisheries Commission, (6) a  
 16 representative of the Southern New England Fishermen's and  
 17 Lobsterman's Association, (7) a representative of the Connecticut  
 18 Commercial Lobstermen's Association, (8) a representative of the Long  
 19 Island Western End Lobstermen's Association, (9) a representative of  
 20 the state vocational aquaculture school known as the Sound School in  
 21 New Haven, (10) a representative of a state vocational aquaculture  
 22 school in Bridgeport, and (11) a representative of the Connecticut  
 23 Seafood Council.

24 (c) The committee shall be appointed jointly by the Commissioners  
 25 of Environmental Protection and Agriculture, after receiving  
 26 appointment nominations from each group listed in subsection (b) of  
 27 this section, not more than thirty days after May 26, 2006. The  
 28 committee shall elect its own chairman and such other officers and  
 29 adopt such rules of procedure as it may deem appropriate. Members of  
 30 said committee shall receive no compensation for their services but  
 31 shall be reimbursed for necessary expenses in the performance of their  
 32 duties.

33 (d) The committee shall advise the Commissioner of Environmental  
 34 Protection regarding funding, implementation and continuation of the  
 35 lobster restoration program established pursuant to section 26-157d  
 36 and funded pursuant to section 2 of this act.

37 Sec. 2. (*Effective from passage*) The sum of one million one hundred  
 38 thousand dollars is appropriated to the Department of Environmental  
 39 Protection, from the General Fund, for the fiscal year ending June 30,  
 40 2009, for implementation and continuation of the lobster restoration  
 41 program established pursuant to section 26-157d of the general  
 42 statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	26-157f
Sec. 2	<i>from passage</i>	New section

**ENV**      *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

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**OFA Fiscal Note****State Impact:**

Agency Affected	Fund-Effect	FY 09 \$	FY 10 \$
Department of Environmental Protection	GF - Cost	1,100,000	None

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill appropriates \$1.1 million to the Department of Environmental Protection (DEP) in FY 09 for the implementation and continuation of the lobster restoration program.

**The Out Years**

There is no annualized ongoing fiscal impact since the appropriation is one-time in nature.

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**OLR Bill Analysis****HB 5850*****AN ACT CONCERNING THE HEALTH OF THE LOBSTER INDUSTRY.*****SUMMARY:**

This bill requires the Lobster Restoration Advisory Committee to advise Department of Environmental Protection (DEP) commissioner on the funding, implementation, and continuation of the lobster restoration program.

The bill also appropriates, from the General Fund, \$1.1 million to DEP for FY 09 for the implementation and continuation of the lobster restoration program.

EFFECTIVE DATE: Upon passage

**BACKGROUND*****Lobster Restoration Program and Committee***

The lobster restoration program was established in 2005. The program requires the tails of mature female lobsters that licensed commercial fishermen catch (trap) to be marked with a V-shaped notch and then released in order to increase lobster egg production. Current law requires DEP to compensate, if funds become available, each commercial fisherman who (1) lands, has marked, and releases lobsters and (2) reports it as required by law. The compensation must equal the lobsters' average market value, which the commissioner determines. Current law requires the commissioner to apply for, qualify for, and accept any federal and state funds for lobster restoration or related acts, projects, programs, or activities.

The Lobster Restoration Program Committee is an 11-member

committee established in 2006. Members include:

1. the DEP and agriculture commissioners or their designees;
2. the state's administrative, legislative, and gubernatorally appointed commissioners, to the Atlantic States Marine Fisheries Commission; and
3. one representative each from the (a) Southern New England Fisherman's and Lobsterman's Association, (b) Connecticut Commercial Lobstermen's Association, (c) Long Island Western End Lobstermen's Association, (d) state vocational aquaculture school known as the Sound School in New Haven, (e) state vocational aquaculture school in Bridgeport, and (f) Connecticut Seafood Council.

The DEP and agriculture commissioners jointly appoint committee members, after receiving nominations for the above-listed groups. The committee elects its own chairperson and any other officers and adopts procedural rules as necessary. Committee members are not compensated for their services, but are reimbursed for necessary expenses while performing their duties.

### **COMMITTEE ACTION**

Environment Committee

Joint Favorable

Yea    27    Nay   0    (03/12/2008)